

BILL ANALYSIS

C.S.H.B. 2200
By: Thompson
Judiciary
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The effectiveness of some of the interpreters providing court services to deaf and hearing impaired persons has been called into question. The Texas Department of Assistive and Rehabilitative Services has responded by developing a new test for certification of such interpreters. The purpose of this bill is to enhance the qualification requirements for interpreters for the deaf.

RULEMAKING AUTHORITY

The bill changes rulemaking authority by substituting the executive commissioner of the Health and Human Services Commission for the Commission for the Deaf and Hard of Hearing in Section 4 and 7 of the bill.

ANALYSIS

The bill changes references to the Texas Commission for the Deaf and Hard of Hearing to the Department of Assistive and Rehabilitative Services throughout. DARS is headed by a "commissioner" and conforming changes are made throughout. The reference in Section 57.021(d), Government Code, to the Court Reporters Certification Board as the entity certifying interpreters as qualified to provide real time translation is changed to the Texas Court Reporters Association.

The bill adds a prohibition against serving as an interpreter for a hearing impaired individual at a court proceeding unless the interpreter holds an appropriate certificate. Section 8.

EFFECTIVE DATE

September 1, 2005, except that the effectiveness of changes to the qualifications of interpreters is delayed until September 1, 2006 to give the current interpreters sufficient time to get recertified.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute amends Section 3(d) from the original bill by changing the certifying organization for real-time interpreters to the Texas Court Reporters Association.

The committee substitute adds paragraph (b) to Section 12 and other provisions to delay the effective date of the changes to the definition of a qualified interpreter for civil and criminal purposes until September 1, 2006.

The committee substitute changes Section 13, effective date, to allow the Act to take effect as provided by Section 12.